

1 KIBLER FOWLER & CAVE LLP
2 Michael D. Kibler (SBN 243982)
3 mkibler@kfc.law
4 Matthew J. Cave (SBN 280704)
5 mcave@kfc.law
6 Sheila Nagaraj (SBN 268927)
7 snagaraj@kfc.law
8 11100 Santa Monica Blvd., Suite 360
9 Los Angeles, California 90025
10 Telephone: (310) 409-0400
11 Facsimile: (310) 409-0401

12
13 *Attorneys for Non-Party*
14 *PricewaterhouseCoopers LLP*

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

17 CHASOM BROWN, et al.,

CASE NO. 5:20-cv-03664-LHK-SVK

18 Plaintiffs,

**STIPULATION TO EXTEND TIME FOR
NON-PARTY
PRICEWATERHOUSECOOPERS LLP
TO RESPOND TO COURT ORDER FOR
DOCUMENT PRODUCTION**

19 v.

GOOGLE LLC,

*[Filed concurrently with [Proposed] Order;
Declaration of Richard J. DeMarco, Jr.]*

Defendant.

Referral: Hon. Susan van Keulen, USMJ

1 Pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rule 6-1(b), Plaintiffs
 2 Chasom Brown, et al. (“Plaintiffs”) and Non-Party PricewaterhouseCoopers LLP (“PwC”)
 3 (collectively, the “Parties”) stipulate and agree to an extension of time for PwC to respond to this
 4 Court’s November 16, 2021 Order Granting in Part and Denying in Part Defendant’s Motion for
 5 Protective Order (Dkt. No. 335) (the “Order”) based on the following facts and the accompanying
 6 Declaration of Richard J. DeMarco, Jr.:

7 WHEREAS, on or about November 17, 2021, PwC first learned of the Order, which
 8 directs that PwC produce communications with Defendant Google, LLC (“Google”) and any
 9 documents referred to in those communications, from June 1, 2014 to present, relating to Google’s
 10 privacy controls addressed in the 2011 Consent Decree and Google’s conduct in connection with
 11 Incognito and any other private browsing mode. The Order directs that PwC produce responsive
 12 documents by November 30, 2021, which is less than two weeks after PwC was made aware of the
 13 Order, and with the two-day Thanksgiving holiday falling within that timeframe.

14 WHEREAS, PwC’s last report to Google relating to the topics in the Order was in June
 15 2014. PwC has identified four custodians still with PwC who worked on the engagement with
 16 Google during the time leading up to the June 2014 report. The e-mails of each of those custodians
 17 now have been collected and need to be processed so that PwC can apply search terms that were
 18 provided by Plaintiffs’ counsel to PwC on November 24, 2021 (the day before Thanksgiving).

19 WHEREAS, the Parties have not previously requested any extensions, the Parties do not
 20 enter into this stipulation for the purpose of delay, and the Court has not yet scheduled any pre-
 21 trial or trial dates.

22 WHEREAS, no party will be prejudiced by the stipulated-to extension.

23 NOW, THEREFORE, the Parties hereby stipulate and agree, subject to the Court’s
 24 approval, as follows:

- 25 1. PwC shall have an extension to respond to the Order with any responsive, non-
 26 privileged documents to December 10, 2021.
- 27 2. PwC is not making a general appearance by executing this stipulation and both
 28 Plaintiffs and PwC reserve all of their respective rights, defenses, arguments and remedies in

1 connection with this case and this stipulation is not to be construed as a waiver of rights or
2 remedies by either Plaintiffs or PwC.

3. This stipulation is entered into without prejudice to any party seeking any interim
4 relief.

5
6 IT IS SO STIPULATED.

7
8 Dated: November 29, 2021

KIBLER FOWLER & CAVE LLP

10 By: /s/ Matthew J. Cave

11 MICHAEL D. KIBLER
12 MATTHEW J. CAVE
13 SHEILA NAGARAJ
14 Attorneys for Non-Party PricewaterhouseCoopers
LLP

15 Dated: November 29, 2021

MORGAN & MORGAN

16 By: /s/ Ryan McGee

17 RYAN MCGEE
18 Attorneys for Plaintiffs Chasom Brown, et al.

ATTESTATION OF CONCURRENCE

I am the ECF user whose ID and password are being used to file this Stipulation to Extend Time for Non-Party PricewaterhouseCoopers LLP to Respond to Court Order for Document Production. Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in the filing of this document.

6 | Dated: November 29, 2021

KIBLER FOWLER & CAVE LLP

By: /s/ Matthew J. Cave
MATTHEW J. CAVE